

**ARGUMENTS/REMARKS**

Claims 17, 23-27, and 30-32 are presently pending in the application. Claims 18-22 and 28-29 have been canceled. Reconsideration is respectfully requested.

**Double Patenting**

Claims 25-26 and 30-31 have been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 11-12 of copending application no. 11/374,720. Upon agreement of allowable subject matter with the Examiner, applicants will file a terminal disclaimer removing the double patenting rejection.


**Rejections under 25 USC §112**

The Examiner has rejected claims 17, 23-27, and 30-32 under 35 U.S.C. 112 as being indefinite for failing to distinctly point out and claim the inventive subject matter. More particularly, the Examiner objects to the proviso to the extent it indicates Z may be nitrogen. Applicants have amended claim 17 to remove this possibility. Withdrawal and reconsideration of the rejections is requested.

Should the Examiner have any questions, please contact the undersigned attorney.

Respectfully submitted,

Novartis Institutes for BioMedical Research, Inc.  
220 Massachusetts Avenue  
Cambridge, MA 02139  
(617) 871-7347

  
\_\_\_\_\_  
Mark E. Baron  
Attorney for Applicants  
Reg. No. 46,150

Date: 1 March 2010